IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1754 of 2007

CRIME NO.15/2007 OF MALOOR POLICE STATION

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PETITIONERS/ACCUSED

A.V.SOMAN,S/O.BALAKRISHNAN,AGED 47 YEARS
PUTHUSSERY HOUSE,POOKODE P.O,KANNUR DISTRICT.

BY ADV. SRI.CIBI THOMAS

RESPONDENTS: RESPONDENTS/COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,MALOOR
POLICE STATION.

2. STATE REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1754/2007

Dated this 22nd day of March, 2007

O R D E R

The petitioner, who is the third accused in Crime No.15/2007 of Maloor Police Station for an offence punishable under Section 427 IPC and also under Sections 3, 4 and 5 of the Explosive Substances Act, 1908, seeks anticipatory bailable.

2. The case of the prosecution is that the petitioner has used explosives with the granite quarry without a licence, on account of that, the defacto complainant has sustained loss.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 27.3.2007 and 29.3.2007 for the purpose of interrogation. The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release the petitioner on bail on appropriate conditions.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs